

3771 Eastwood Drive Jackson, MS 39211-6381 Phone: 601-432-8000

Fax: 601-713-6380 www.its.ms.gov

Craig P. Orgeron, Ph.D., Executive Director

Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: ITS Project Number 42924

Date: July 19, 2016

Re: Sole Source Certification Number 3931 to provide software maintenance and support of

the Direct Servicing Software for the Mississippi Development Authority (MDA)

Contact Name: Cerria Walker

Contact Phone Number: 601-432-8013

Contact E-mail Address: cerria.walker@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3931 for software maintenance and support of the Direct Servicing Software for the Mississippi Development Authority (MDA), please be advised that ITS intends to award MITAS Group Inc. as the sole source provider of software maintenance and support of the Direct Servicing Software through June 30, 2019, in an amount not to exceed \$39,098.93. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

MITAS provides periodic enhancements made to the programs as maintenance to their Direct Servicing Software. These enhancements are generally designed to insure that MDA's system will not become obsolete when new technology has been introduced in the industry that will allow MDA to operate more effectively and efficiently. MITAS offers custom programming services to modify the existing programs to meet unique requirements, or write new programs that will integrate with MDA's existing system. The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

The community Services Division and the Financial Resources Division of MDA use this product to collect payments and track proper application of payments outstanding on economic development loans. In addition, it tracks interest accrual and provides

various accounting reports. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

MITAS is the sole owners of the product and the only company that can support the software as it requires the source code to do so. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	07/19/16
Second Advertisement Date	07/26/16
Response Deadline From Objectors	08/02/16 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 08/03/16

Project Details

The Mississippi Development Authority originally purchased the Direct Servicing Software as an emergency in June 2011. The Mississippi Development Authority is seeking ongoing support and maintenance for MITAS' Direct Servicing Software used to service thousands of dollars in loans for economic development. The Mississippi Development Authority has spent to date \$141,806.04. ITS has obtained permission from the Department of Finance and Administration, Office of Fiscal Management to proceed with this request.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Direct Servicing Software should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to MITAS Group Inc.

- 1.1 Interested Party Information
 - 1.1.1 Contact Name, Phone Number and email address
 - 1.1.2 Company Website URL, if applicable
- 1.2 Objection to Sole Source Certification
 - 1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.
 - 1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.
- 1.3 Comments will be accepted at any time prior to Tuesday, August 2, 2016, at 3:00 p.m. (Central Time) to Cerria Walker at cerria.walker@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE

FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Cerria Walker to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

SUBMITTED IN RESPONSE TO Sole Source Certification No. 3931-42924 Accepted until August 2, 2016 @ 3:00 p.m., ATTENTION: Cerria Walker

If you have any questions concerning the information above or if we can be of further assistance, please contact Cerria Walker at 601-432-8013 or via email at cerria.walker@its.ms.gov.

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive Jackson, Mississippi 39211 Phone 601-432-8000 Fax 601-713-6380

Sole Source Certification Request

Customer Contact Information Contact Person: Stanua R. Holl	Sole Source Continuation reduction										
Agency/Public University: MS Development Authority Address: 501 N. West Street. Jackson, MS 39201 MAGIC Customer Number (only required from state agencies): 7000000109 MAGIC Customer Number (only required from state agencies): 7000000109 Project Summary Number (only required from state agencies): 7000000109 Project Summary Number (only required from state agencies): 7000000109 Project Summary Number (only required from state agencies): 7000000109 Project Summary Number (only required from state agencies): 7000000109 Project Summary Number (only required from state agencies): 7000000109 Project Summary Number (only required from state agencies): 70000000109 Project Summary Number (Only required from state agencies): 70000000109 Project Summary Number (Only required from state agencies): 70000000109 Project Summary Number (Only required from state agencies): 700000000109 Project Summary Number (Only required from state agencies): 7000000000000000000000000000000000000	Project Title: MITAS Direct Servicing Software Renewal Stimulus (ARRA) Funds? Yes_No_X										
Address: 501 N. West Street. Jackson, MS 39201 Phone: 601-359-2507 Fax: 601-359-5042 Email Address: shelt@mississippi.org MAGIC Customer Number (only required from state agencies): 7000000109 Project Summary Numative Description of Project (include details of original acquisition if applicable): Support and maintenance for proprietary software used to service thousands of dollars in loans for economic development. It also monitors collateral, UCC, and insurance expiration dates. The MIT AS Group is the developer and sale-source provider or TIMC's Direct Servicing Software, providing solutions to government agencies with specialized papyment collection and customored amortization makes. This is a committed of the product of the											
Fas: 601.359-5042 Email Address: sholt@mississippi.org					ıthority		Contact Person: Shana R. Holt				
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Attachment A

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

Glenn McCullough Jr. / Executive Director Signature
Name (Agency Head or Institution CIO) Title
Signature



May 24, 2016

Shana R. Holi IT Procurement & Systems Manager MS Development Authority 501 North West Street Jackson, MS 39201

Dear Ms. Holt:

The Mitas Group (TMG) is happy to offer ongoing maintenance and support services to your agency for the MITAS product. The MITAS product consists of proprietary software written over many years by our company. We are the sole owners of the product and the only company that can support the software as it requires the source code to do so.

The product is a Microsoft Windows based application that utilizes a Microsoft SQL database for its data storage.

Your agency utilizes this product to service various loans (thousands) that have been made by different departments within your agency. Servicing requires collection of payments and proper application of payments outstanding, accrual of interest, year-end reporting requirements, and various accounting reports. During initial implementation, MITAS also enhanced the product to be able to comply with certain processing needs that your toans have in how they calculate interest and determine due amounts. TMG specializes in servicing environments such as yours that do not necessarily follow industry standard amortization rules. All of our business is government related such as your agency.

Our pricing for maintenance and support is based on a long history of industry standards in determining pricing based on initial cost of product and thus cost to replace. A very typical scenario is 25% of original purchase cost (excluding services). Annually this cost may be increased due to inflation or additional custom functionality added by request of your agency. With each renewal, MITAS analyzes the previous support year to determine if any significant increase is warranted, else a minor increase to keep up with growing costs is only applied. Multi-year contracts are generally beneficial to our clients as they set an agreed upon rate of increase for the term.

Regards.

Steven M. Mitas

President

The Mitas Group, Inc.

Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

- 1. The product or services being purchased must perform a function for which no other product or source of services exists.
- 2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
- 3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

- 1. An explanation about why the amount to be expended is reasonable, and
- 2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.